

## **REMARKS**

Claims 2-14, 16-21, 27-31, and 33 are pending herein.

1. Claims 2-14, 16-21, 27-31 and 33 were rejected under 35 U.S.C. 103(a) as being unpatentable over Ignatiev et al. alone or R. Nenetschek et al. "Continuous Coated Conductor Fabrication by Evaporation" in combination with Ignatiev et al. further in combination with JP 02-118075 and JP 02-118061 still further in combination with Goyal et al., "Processing of High Temperature Superconductors" still further in combination with Glowacki et al. (6,251,834). This rejection is respectfully traversed for the following reasons.

The presently claimed invention is directed towards a method of forming a superconductive device. The presently claimed invention particularly calls for annealing a metal alloy substrate after cleaning to relax the crystalline structure of the substrate tape. Additionally, the surface of the substrate remains randomly textured during annealing. Further, the claimed invention calls for depositing a biaxial texture buffer layer upon the polycrystalline and randomly textured substrate using ion beam assisted deposition. The depositing is carried out after annealing. This particular feature is of notable consequence as detailed in the enclosed Rule 132 Declaration filed herewith.

As discussed, Glowacki teaches an annealing process for inducing a highly textured cubic  $\alpha$ -phase in the metal substrate. The resultant substrate is not polycrystalline and randomly textured, as claimed. Furthermore, one of ordinary skill in the art would not combine the annealing process of Glowacki with the IBAD process of Goyal, as the textured substrate of Glowacki would disrupt the texture being developed in the buffer layer through the impingement of the ion beam as described by Goyal.

For at least the following reasons in view of the Rule 132 Declaration filed herewith, Applicants respectfully submit that the presently claimed invention would not have been obvious over Ignatiev et al. alone or R. Nenetschek et al. "Continuous Coated Conductor Fabrication by Evaporation" in combination with Ignatiev et al. further in combination with JP 02-118075 and JP 02-118061 still further in combination with Goyal et al., "Processing of High Temperature

Superconductors” still further in combination with Glowacki et al. Accordingly, withdrawal of the 35 USC 103(a) rejections are respectfully requested.

Applicants respectfully submit that the present application is now in condition for allowance. Accordingly, the Examiner is requested to issue a Notice of Allowance for all pending claims.

Should the Examiner deem that any further action by the Applicants would be desirable for placing this application in even better condition for issue, the Examiner is requested to telephone Applicants’ undersigned representative at the number listed below.

The Commissioner is hereby authorized to charge any fees, which may be required, or credit any overpayment, to Deposit Account Number 50-3797.

Respectfully submitted,

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Date

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